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APPLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,185		03/27/2002	Masahiro Okuda	Q69090	5134
23373	7590	09/04/2003			
SUGHRU			EXAMINER		
2100 PENNSYLVANIA AVENUE, N.W. WASHINGTON, DC 20037				MELLER, M	ICHAEL V
				ART UNIT	PAPER NUMBER
				1654	17
				DATE MAILED: 09/04/2003	10

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary Tollows, 185			I A - II - A - II - A					
## Deficies Action Summary Examiner Michael V. Meller 1654	1	•	Application No.	Applicant(s)				
Michael V. Meller "The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reely specified above is less than thirty (30) cays, a reely within the statutory remined unplicity disays with be considered timely. If the period for reely specified above is less than thirty (30) cays, a reely within the statutory remined unplicity of the system of the state 30 (s) (MONTHS from the mailing date of this communication. If the period for reely specified above is less than thirty (30) cays, a reely within the statutory remined unplicity of the system of particular timely the state of the system of particular timely freed, may reduce any seamed pattern and adjustment. See 37 CFR 17:06(s) Any reply received by ea office laser than three months after the mailing date of this communication, even if timely fleet, may reduce any seamed pattern and adjustment. See 37 CFR 17:06(s) A propriet with the practice under Exparle Quayle, 1935 C.D. 11, 453 O.G. 213. Status Status Status A) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparle Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims A) Since this application is in the application. A) Claim(s)isfare allowed. Claim(s)isfare objected to. B) Claim(s)isfare objected to. B) Claim(s)isfare objected to by the Examiner. Application Papers 9) The proposed drawing correction filed onisfare: a) accepted or b)objected to by the Examiner. Application Papers 9) The proposed drawing correction filed onisfare: a) accepted or b)objected to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. 13) Acknowledgment is made of a claim for	Office Action Summary							
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Art Unit: 1654

DETAILED ACTION

Election/Restrictions

It is noted that applicant elected without traverse Group II, claims 15-17. Claims 9-14 and 18-20 are withdrawn from further consideration by the examiner as being drawn to non-elected subject matter.

The restriction is still considered to be proper and is therefore made FINAL.

Due to applicants amending the claims the application has to be restricted as follows:

The invention is drawn to many different components which are contained in many different compositions. Dependent claims are drawn to specific components. The components vary distinctly in their structures and functions. Thus, an individual search is required of each individual component. Therefore, in addition to electing one of the groups as the elected invention (which applicant has elected group II), Applicant is required to elect a specific composition containing the specific elected components (i.e. acetic acid, PEG 4000, dextran 70, etc.), to which the elected invention will be examined on the merits as drawn to; as well as identifying those claims to which the elected composition is drawn. This requirement is not to be taken as an election of

species, but rather as an election of a single invention, since each compound is assumed to be a patentably distinct invention, in the absence of evidence to the contrary.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V. Meller whose telephone number is 703-308-4230. The examiner can normally be reached on Monday thru Friday: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback can be reached on 703-306-3220. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Michael V. Meller Primary Examiner Art Unit 1654

MVM